



DECEMBER 13, 2012

TO: INDEPENDENT SPECIAL DISTRICT BOARD MEMBERS, MANAGERS / CLERKS
FROM: NEELIMA PALACHERLA, LAFCO EXECUTIVE OFFICER
RE: NOTICE OF INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE MEETING
SELECTION OF SPECIAL DISTRICT MEMBERS TO SERVE ON LAFCO

The Local Agency Formation Commission of Santa Clara County (LAFCO), at its December 12, 2012 meeting, adopted a resolution of intention to seat independent special districts on LAFCO. As a result, LAFCO will be expanded to include two special district members and one alternate special district member. As agreed upon by the Special Districts Association of Santa Clara County, the Santa Clara Valley Water District (SCVWD) will appoint one special district member to LAFCO, and the Independent Special District Selection Committee (ISDSC) will appoint the second member and an alternate member to LAFCO.

At the December meeting, LAFCO directed its Executive Officer to notice and call a meeting of the ISDSC for the purpose of selecting special district members to serve on LAFCO. The December LAFCO Staff Report is attached and includes related background information.

The purpose of this memo is to provide notice of the ISDSC meeting and to provide information on the selection process for the special district members to LAFCO.

ISDSC MEMBERSHIP AND MEETING

The first meeting of the ISDSC will be held **on Friday, January 11, 2013 at 10:30 AM in the Boardroom of the Santa Clara Valley Water District located at 5700 Almaden Expressway, San Jose**. The primary purpose of the ISDSC meeting will be to select one regular member and one alternate member to serve on LAFCO. The agenda for the ISDSC meeting is attached.

The ISDSC membership is comprised of presiding officers of the following 17 independent special districts in Santa Clara County:

1. Aldercroft Heights County Water District
2. Burbank Sanitary District
3. Cupertino Sanitary District
4. El Camino Hospital District
5. Guadalupe Coyote Resource Conservation District
6. Lake Canyon Community Services District
7. Lion's Gate Community Services District

8. Loma Prieta Resource Conservation District
9. Midpeninsula Regional Open Space District
10. Purissima Hills County Water District
11. Rancho Rinconada Recreation and Park District
12. San Martin County Water District
13. Santa Clara County Open Space Authority
14. Santa Clara Valley Water District
15. Saratoga Cemetery District
16. Saratoga Fire Protection District
17. South Santa Clara Valley Memorial District

If the presiding officer of an independent special district is unable to attend the ISDSC meeting, the legislative body of the district may appoint one of its members to attend and vote in the presiding officer's place. District managers or other district staff members may not vote.

ISDSC members representing a majority (9) of the independent special districts shall constitute a quorum. The ISDSC shall not conduct its business without a quorum of its membership. It is very important to have a quorum at this first meeting. Failure to achieve a quorum will result in special districts not being fully represented on LAFCO.

PROCESS FOR SELECTION OF SPECIAL DISTRICT MEMBERS TO SERVE ON LAFCO

Specifically, the ISDSC will select one member to serve in each of the following two positions:

- One regular special district member
- One alternate special district member
The alternate member will vote in place of the regular member if either of the two regular special district members is absent or has a conflict of interest.

A brief description of the roles and responsibilities of a LAFCO commissioner is attached.

At the January 11, 2013 ISDSC meeting, any member of an independent special district governing board may submit a nomination for the special district member positions. The nominees must be elected or appointed special district officers residing within the county but must not be members of the legislative body of a city or county. Each nominee will be given an opportunity to make a brief statement. A ballot will be provided to the members of the ISDSC (i.e., to each presiding officer or voting delegate of independent special districts) present at the meeting. Each member of the ISDSC is entitled to one vote. The ISDSC is encouraged to make selections that fairly represent the diversity of the independent special districts in the county, with respect to population and geography.

If only one nomination is received for a position, that nominee is selected. The nominee who receives the majority of the votes cast is selected. If no nominee receives a majority

of the votes cast, a run-off election between the two nominees who receive the greatest number of votes is held. After votes are tallied, the results will be announced.

TERMS OF OFFICE FOR LAFCO MEMBERS

The term of office for a LAFCO commissioner is 4 years and until the appointment and qualification of a successor. Pursuant to Government Code §56334 and in order to stagger the initial term expiration for the regular special district members, one of the regular special district member's initial term will be 2 years in length (expiring in May 2015) and the other's will be 4 years (expiring in May 2017). The ISDSC, at its January 11, 2013 meeting, will determine the initial terms of office for the two regular member s. The alternate member's term will be 4 years. A member's term of office on LAFCO will cease immediately if he or she ceases to be on the special district board. The statute also provides that a member may be removed at any time and without cause upon a majority vote of the ISDSC.

DISQUALIFICATION ON PROPOSALS AFFECTING THE DISTRICT

Pursuant to Government Code §56332(d), a special district member is not automatically disqualified from acting on a proposal affecting the member's special district. However, the statute allows that the ISDSC may, at the time of appointment of a member or alternate, specify that the member is disqualified from voting on proposals affecting the member's district.

FOR MORE INFORMATION

If you would like more information on LAFCO, please visit the LAFCO website at www.santaclara.lafco.ca.gov.

If you have any questions about this process please contact me at neelima.palacherla@ceo.sccgov.org or at (408) 299-5127. Or you may contact Dunia Noel at dunia.noel@ceo.sccgov.org or at (408) 299-5148.

ATTACHMENTS

[Agenda for the January 11, 2013 ISDSC meeting](#)

[Roles and Responsibilities of a LAFCO Commissioner](#)

[December LAFCO Staff report on Special Districts Membership on LAFCO](#)

NOTE TO INDEPENDENT SPECIAL DISTRICT MANAGERS AND / OR CLERKS:

Please distribute this notice to all members of the District Board